

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:16-CV-701-DCK**

**MARSHALL O. LOWERY,**

**Plaintiff,**

**v.**

**UNITED STATES OF AMERICA,**

**Defendant.**

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**ORDER**

**THIS MATTER IS BEFORE THE COURT** on the parties' "Joint Motion For A Briefing Schedule" (Document No. 87) filed May 31, 2019. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motion and the record, and noting consent of the parties, the undersigned will grant the motion.

**IT IS, THEREFORE, ORDERED** that the parties' "Joint Motion For A Briefing Schedule" (Document No. 87) is **GRANTED**. The following deadlines shall apply: Plaintiff may file a motion for attorney fees and costs under 26 U.S.C. § 7430 on or before **June 24, 2019**; Defendant shall file a response to any motion for attorney fees and costs on or before **July 23, 2019**; and Plaintiff shall file a reply brief, or notice of intent not to reply, on or before **July 31, 2019**.

**SO ORDERED.**

Signed: June 3, 2019

  
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David C. Keesler  
United States Magistrate Judge

